

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MELANIE K HECKER,

*

Plaintiff,

*

v.

*

Civil Case No. 1:22-cv-02152-JMC

PAUL GARNER et al,

*

Defendants.

* * * * *

MEMORANDUM OPINION AND ORDER

Defendant Elaine Evans is currently represented by Mr. William Henry Fisher III. Presently before the Court is Mr. Fisher's March 1, 2023 Motion to Withdraw (ECF No. 32). The Motion requests that the Court give leave for Mr. Fisher to withdraw as counsel of record for Defendant Evans. *Id.* at p. 1. Defendant Evans has not presented any opposition to this Motion, and the Motion is otherwise unopposed. No hearing is necessary. Loc. R. 105.6 (D. Md. 2021). For the reasons set forth below, Mr. Fisher's Motion is hereby GRANTED.

When counsel wishes to withdraw its appearance in the case of an individual, such as Defendant Evans, counsel must adhere to Local Rule 101.2(a).¹ Accordingly, Mr. Fisher has filed a certificate stating Defendant Evans' last known address. (ECF No. 32-2). Additionally, Mr. Fisher provided Defendant Evans with written notice on February 22, 2023, that Mr. Fisher intended to withdraw as counsel and that Defendant Evans should either obtain new counsel or

¹ In the case of an individual, appearance of counsel may be withdrawn only with leave of court and if (1) appearance of other counsel has been entered, or (2) withdrawing counsel files a certificate stating (a) the name and last known address of the client, and (b) that a written notice has been mailed to or otherwise served upon the client at least seven (7) days previously advising the client of counsel's proposed withdrawal and notifying the client either to have new counsel enter an appearance or to advise the Clerk that the client will be proceeding without counsel. If the withdrawal of counsel's appearance is permitted, the Clerk shall notify the party that the party will be deemed to be proceeding without counsel unless and until new counsel enters an appearance on behalf of the party. Loc. R. 101.2(a) (D. Md. 2021).

notify the Clerk that she intends to proceed *pro se*. *Id.* Therefore, Mr. Fisher has complied with Local Rule 101.2(a), and he is given leave to withdraw his appearance on behalf of Defendant Evans.

Accordingly, it is this 27th day of March 2023, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. The Motion to Withdraw Appearance (ECF No. 32) is GRANTED;
2. The Clerk SHALL MAIL a copy of this Order to Defendant Evans; and
3. The Clerk SHALL NOTIFY Defendant Evans that she will be deemed to be proceeding without counsel unless and until new counsel enters an appearance on their behalf.

Date: March 27, 2023

_____/s/
J. Mark Coulson
United States Magistrate Judge